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6 Attorneys for Defendant  
United States of America

8 UNITED STATES DISTRICT COURT  
9 DISTRICT OF NEVADA

10 JOHN MILLER,

11 Plaintiff,

12 v.

13 UNITED STATES OF AMERICA,

14 Defendant.

Case No. 3:17-cv-00121-MMD-WGC

**STIPULATION FOR EXTENSION OF  
TIME TO RESPOND TO OPPOSITION  
TO MOTION TO DISMISS (ECF NO. 44)**

**(FIRST REQUEST)**

**(EXPEDITED REVIEW REQUESTED)**

16 Pursuant to Federal Rule of Civil Procedure 6(b)(1)(A), Defendant United States of  
17 America and Plaintiff John Miler hereby stipulate to an 18-day extension of time, until June 25,  
18 2018, for Defendant to file its reply to Plaintiff's opposition to motion to dismiss. (ECF No. 44).  
19 The reply is currently due on June 7, 2018. This request supersedes the motion for extension  
20 previously filed by Defendant (ECF No. 45), as Plaintiff's counsel has advised that he does not  
21 object to Defendant's extension request.

22 Plaintiff filed an opposition to Defendant's motion to dismiss on May 31, 2018 and  
23 Defendant's reply is due on June 7, 2018. Defense counsel is expected to be out of the office on  
24 business for several days over the coming month and she is facing many deadlines in other cases.  
25 In addition, Plaintiff's opposition is 20 pages long, addresses numerous issues and contains many  
26 citations. Given defense counsel's time away from the office, her other deadlines within the same  
27 time frame and the length of, and numerous citations within, the opposition, good cause exists  
28 for an extension of time to allow defense counsel to meaningfully evaluate, and respond to, the

1 arguments made. *See* Fed. R. Civ. P. 6(b)(1)(A) ("When an act may or must be done within a  
2 specified time, the court may, *for good cause*, extend the time...with or without motion or notice  
3 if the court acts, or if a request is made, before the original time or its extension expires[.]")  
4 (emphasis added).


5 This is defense counsel's first request for an extension of time to file her reply. *See* LR  
6 IA 6-1 (must advise of previous extensions). Granting the extension request would provide a  
7 new due date of June 25, 2018 for the reply. Defense counsel avers that this extension request is  
8 made in good faith and not for the purpose of delay.

9 Plaintiff's counsel has advised that he does not oppose Defendant's request for an  
10 extension.

11 DATED: June 5th, 2018.

12 DAYLE ELIESON  
13 United States Attorney

ALLING & JILLSON, LTD.

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15 HOLLY A. VANCE  
16 Assistant United States Attorney  
Counsel for Defendant

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18 SCOTT W. SOUERS  
19 Counsel for Plaintiff  
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# EXHIBIT 1

[PROPOSED] ORDER

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6 UNITED STATES DISTRICT COURT  
7 DISTRICT OF NEVADA

8 JOHN MILLER,

9 Plaintiff,

10 v.

11 UNITED STATES OF AMERICA,

12 Defendant.

Case No. 3:17-cv-00121-MMD-WGC

~~PROPOSED~~ ORDER

13  
14 IT IS HEREBY ORDERED that Defendant United States of America shall have up to and  
15 including June 25, 2018, to file its reply to Plaintiff's opposition to motion to dismiss. (ECF No.  
16 44).

17 DATED: June 5, 2018.



18 HON. MIRANDA M. DU  
19 United States District Judge  
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